

1 signed the document -- it had not been dated.

2 My instructions were probably that it was
3 supposed to have exchanged frozen, sworn, written,
4 signed -- it's usually what I -- the boiler plate that
5 I generally use.

6 But the nature of that particular document
7 and in the anticipation that there's going to be a lot
8 of give-and-take with this evidence as we go through
9 this, I didn't see it to be significant enough to make
10 a federal case out of it, to put it in that parlance.

11 However, when you get into situations of
12 putting narrative information -- Now, if there, for
13 example, had been a narrative piece of information in
14 the copy of the Exhibit that had been faxed to you and
15 what Mr. Tillotson was offering this morning, then you
16 would have had a case. You would have had a point.
17 And in all likelihood, it would not have been
18 permitted.

19 In addition, there's another kind of
20 change that -- sometimes made. Sometimes, again, it
21 might just have been an oversight -- or a typo. The
22 date was really '81, but it come out '61 on the page.
23 And you -- this, again, goes into the voir dire. You'd
24 be able to explain that away. We make corrections like
25 that.

1 But here, as the nature of this objection
2 is is that you just made a broad statement that you
3 were personally a friend and supporter of the Taxpayers
4 Association throughout the '80s. It doesn't tell us
5 anything more than you might have been on their mailing
6 list.

7 If I started asking you questions about
8 what is it you exactly did, then, that goes outside the
9 scope of the frozen testimony, because you're going to
10 be rewriting the page, in effect. Understand what I'm
11 saying?

12 MR. LYNCH: I believe so, Your Honor.

13 JUDGE SIPPEL: All right. Well, it's -- I
14 hope so, because there probably will be more rulings
15 like this as we go along. And I don't want to take up
16 the time of having to repeat the explanation. I'm
17 hoping that you get it.

18 Okay. So I've stricken that sentence on
19 page 3 about his personal involvement with the
20 Taxpayers Association.

21 Is there anything else, Mr. Tillotson?

22 MR. TILLOTSON: I object to paragraph 6 in
23 its entirety. This is an integration Exhibit. The
24 issue is what has Mr. Lynch done personally in the way
25 of civic activities and the fact that his radio

1 stations have carried public service announcements or
2 done other things really doesn't go to that issue.

3 That may go -- those materials may or may
4 not go to renewal expectancy, what the radio stations
5 have done. But the fact that Mr. Lynch owns a radio
6 station and makes it available for public service
7 announcements is not a civic activity.

8 JUDGE SIPPEL: All right. Well, let's --
9 I'll buy that argument. What's -- Do you have a
10 problem with treating it as -- you know -- as the other
11 -- as his record of broadcasting, as his attempting to
12 meet his civic needs on the broadcasting side of
13 things?

14 MR. TILLOTSON: From the point of view of
15 the renewal --

16 JUDGE SIPPEL: Yes, would it be relevant
17 to renewal?

18 MR. TILLOTSON: -- programming -- that
19 material -- assuming it's relevant and admissible,
20 that's what it goes to --

21 JUDGE SIPPEL: Yes, I'm saying --

22 MR. TILLOTSON: I'll have a problem with
23 the specifics, but not --

24 JUDGE SIPPEL: Can we treat it now as --
25 all's I want to do is -- if it can go in the record, I

1 want to get it in the record. I don't want to have to
2 start breaking it -- I mean, if I received it into
3 evidence, it would be as evidence that was really
4 relevant to renewal --

5 MR. TILLOTSON: I have no problem.

6 JUDGE SIPPEL: However, it just happens to
7 be in this section which is called "integration."

8 MR. TILLOTSON: I have no problem.

9 JUDGE SIPPEL: All right.

10 Do you have any problem with that, Mr.
11 Schonman -- the procedural part of it. I mean --

12 MR. SCHONMAN: To the procedural part, no,
13 I have no problem with that.

14 JUDGE SIPPEL: All right. Then, why don't
15 we -- then let's --

16 MR. SCHONMAN: On paragraph 6 -- and that
17 paragraph 6 we're assuming is going towards renewal,
18 the reference to Normandy stations, I think, should be
19 altered to include only the FM stations.

20 JUDGE SIPPEL: FM stations, correcto.
21 You're right.

22 But let's hear from Mr. Lynch. You
23 understand what's going on here with this?

24 MR. LYNCH: Yes, Your Honor, but --

25 JUDGE SIPPEL: You sure? Because

1 integration and renewal are two different things.

2 MR. LYNCH: What I'm attempting here is to
3 show that I personally was involved in these things. I
4 personally put both of the stations -- my integration
5 credit at the behest of a number of these different
6 events.

7 JUDGE SIPPEL: All right. Let me go --
8 Let's go off the record for just a minute.

9 (Off the record).

10 (On the record).

11 JUDGE SIPPEL: As I see -- again, I
12 refreshed myself on -- and as I see it, that does -- it
13 relates to broadcasting. You did certain broadcasting
14 activities that related to what's going on in the
15 community. Is that correct? I mean, that's what
16 you're alleging here.

17 MR. LYNCH: Portions of it were
18 broadcasting. Other portions of it are alluding to
19 Board membership or activities I personally did.

20 JUDGE SIPPEL: But they all tie into --
21 again -- to what you were doing as a broadcaster. I
22 mean, you're relating it as -- how it ties into
23 programming that served the community.

24 MR. LYNCH: No, Your Honor. A number of
25 these things, I -- were just personal integration-type

1 involvements.

2 JUDGE SIPPEL: Well, you got -- you do
3 have something in here that talks about -- on the first
4 paragraph of page 1 that -- the area's largest winter
5 event. You helped revitalize the festival, working
6 long hours with the Carnival Board.

7 MR. LYNCH: Among others. I served on the
8 Board of Directors of Planned Parenthood --

9 JUDGE SIPPEL: Planned Parenthood.

10 MR. LYNCH: -- for a number of years.

11 For my personal efforts on behalf of the -
12 - Adirondack Regional Arts Council, I was awarded one
13 of the Council's first honorary life memberships --

14 JUDGE SIPPEL: All right. Just a second
15 now. As I see this -- and I'm addressing this to Mr.
16 Tillotson and Mr. Schonman -- that this is -- it is
17 really a mixed bag what he has in Annex A. And the key
18 thing that strikes me significant is that the time
19 frame is relevant, '87, '88, '89. I mean, it's
20 relevant to the renewal expectancy, which is what I'm
21 trying to focus on, but -- to the extent that I can in
22 this kind of an Exhibit

23 MR. TILLOTSON: Your Honor, my approach --
24 you see -- would be to strike the paragraph numbered 6,
25 because it doesn't have anything substantive. And then

1 to go through the annexes and the other material to
2 determine what goes in -- In other words, 6 doesn't
3 tell us anything --

4 JUDGE SIPPEL: Well, then, that's easy to
5 handle --

6 MR. TILLOTSON: Yes.

7 JUDGE SIPPEL: -- because I leave 6 in
8 just as bad. it's just a -- all's that is is just an
9 introductory directory. It's not evidence. It's not
10 substantive evidence.

11 MR. TILLOTSON: And that would -- my
12 objection --

13 JUDGE SIPPEL: All right. I'm going to
14 sustain that objection. I'm going to receive paragraph
15 6 only as an instruction to go take a look at Annex A.

16 Do you understand that, Mr. Lynch?

17 MR. LYNCH: Yes, Your Honor.

18 JUDGE SIPPEL: All right.

19 Mr. Schonman?

20 MR. SCHONMAN: Yes.

21 JUDGE SIPPEL: Now, do we now -- can we
22 now go back through 7, 8 and 9 before we turn to Annex
23 A?

24 MR. TILLOTSON: Sure.

25 I think we're -- Are we on the record --

1 JUDGE SIPPEL: Yes, we're on the record.

2 MR. TILLOTSON: Okay.

3 JUDGE SIPPEL: We sure are.

4 MR. TILLOTSON: I have no objection to 7,
5 and I have no objection to the rest.

6 JUDGE SIPPEL: All right. Now, what about
7 the annexes that they refer to?

8 MR. TILLOTSON: I have objections; and we
9 have to go through page by page of the Annexes.

10 JUDGE SIPPEL: All right. Well, then,
11 what I will do is I will treat 6, 7 and 8 in the same
12 fashion. In other words, these are just pointers.
13 These are directing the reader to Annexes A, B and C.

14 Now, what about paragraph 9?

15 MR. TILLOTSON: No objection.

16 JUDGE SIPPEL: Mr. Schonman?

17 MR. SCHONMAN: None, Your Honor.

18 JUDGE SIPPEL: All right. Then, we now
19 have -- as we're going through each of these pages,
20 these are being received into evidence, subject to the
21 rulings; so we've now covered the first three pages of
22 Exhibit 3.

23 I'm going to skip over the one-page
24 document that simply says "Annex A," which is Exhibit
25 3, page 4. And we're now on to Annex A, which goes

1 from page 5 to 6 of the Exhibit. And we do understand
2 -- I think we understand that this nature of the
3 evidence in Annex A covers both civic activities and
4 real expectancy-type evidence.

5 Now, Mr. Tillotson, I'll start with you.
6 Objections to Annex A.

7 MR. TILLOTSON: In the first paragraph,
8 the first sentence clearly is irrelevant. It relates
9 to programming, if anything, and it relates to WWSC,
10 which is not the issue in the renewal expectancy.

11 MR. SCHONMAN: The Bureau concurs.

12 JUDGE SIPPEL: Mr. Lynch.

13 MR. LYNCH: Crystal Award covers a number
14 of different things, which -- you know -- personal
15 integration is one, the integration of the station into
16 the community is a major part of the award and we have
17 Exhibits -- you know, it honors a wide integration over
18 the station. We had about 10 or 12 people in the
19 awards that were integrated into dozens of different
20 community affairs, Board members and memberships.

21 JUDGE SIPPEL: All right. Well, I'm going
22 to spend a little bit of time on this -- now, because
23 it might come back up again.

24 But anything that relates to WWSC -- well,
25 anything that relates to its broadcasting, certainly,

1 is of no relevance in this case.

2 MR. LYNCH: I would strike 1987, though.

3 JUDGE SIPPEL: Well, all right. That's a
4 start; but, you see, the sentence that refers to "WWSC
5 is only one of 50 finalists" is really irrelevant.

6 The only thing that WWSC has relevance to
7 in this case would be your own broadcast experience.
8 But that's not -- that doesn't go into programming.
9 That simply says that for X number of years you -- you
10 were controlling an AM station and you got some
11 broadcast experience out of it.

12 MR. LYNCH: I was ripped to shreds in
13 Skidelsky. How much everybody knows personal
14 integration with integrating of programming, I have an
15 open question. I don't know -- there will be cross
16 purposes from the beginning to the end. None of this
17 would have happened unless I was a part of the
18 community, had lived there since the '50s and took very
19 vigorous open interest in programming my stations.

20 But the average person from out of this
21 area -- you know -- wouldn't be running 24-hour
22 telethons. Nobody ever has before or after. So this
23 goes to my integration.

24 And my programming and integration,
25 unfortunately -- you know -- being a broadcast

1 licensee, it doesn't do me too much good to be
2 integrated unless I can pull the radio station around.
3 And all of these things are things I have been
4 personally involved in, many of them with ridiculously
5 long hours. So there will be this criss-cross.

6 JUDGE SIPPEL: Well, that's the problem.
7 That is the problem. Some of that criss-crossing, I'm
8 sure, is going to -- is going to come into the record.

9 But here we have a very -- a very specific
10 reference in a one-liner to Normandy Station WWSC. And
11 the only thing that I'm interested in as far as
12 relevancy is concerned is what you did at WYLR. I
13 mean, I know -- you've got broadcast experience with
14 the AM, experience with -- I don't want to keep going
15 back to that, but I'm accepting that as a general
16 proposition.

17 But in terms of getting credit for what
18 WWSC has done, that is not relevant to this case.

19 MR. LYNCH: I don't want credit, just the
20 recognition of the integration --

21 JUDGE SIPPEL: When you say the -- what
22 integration can you be talking about? Your integration
23 is with respect to Station WYLR. That's what's
24 relevant to this case.

25 MR. LYNCH: My integration is only -- my

1 personal integration is my personal integration,
2 whether it's war service, whether it's running radio
3 stations, whether it's -- My personal integration, as I
4 understand it, is my standing in the community, my
5 integrity, what I have actually accomplished for the
6 community.

7 JUDGE SIPPEL: Civic -- once you get
8 yourself integrated -- "Integrated" means that you are
9 the owner/operator of the station. That's the
10 integration. It's a very technical term. Once you get
11 yourself into that category, then you get bonus points,
12 if you will.

13 MR. LYNCH: Understood.

14 JUDGE SIPPEL: Qualitative credit for
15 civic activities, for broadcasting experience, the
16 local residence, that type of thing. And that -- but
17 it only -- but your integration only relates to WYLR.

18 Now, the fact that you may have been doing
19 things in the community that benefitted WYLR and also
20 benefitted the AM station indirectly is just taking the
21 evidence where we find it.

22 But you keep talking about "integration,"
23 and I think that you don't quite have the concept right
24 yet. Maybe you do now with this explanation. Do you?

25 MR. LYNCH: I believe so. And, again, a

1 lot of the things in running a combination situation,
2 things I did on AM, I also did on FM, a bulk of the
3 things, winter carnivals, Girl Scout -- things like
4 that, that were both AM and FM. They were major needs
5 of the community. I attempted to program to answer
6 them.

7 So I -- if it would help this proceeding,
8 I would not have any objection to striking the first
9 sentence, because the second sentence is specific for
10 the two years YLR --

11 JUDGE SIPPEL: That's easy. Say no more.
12 I'm striking the first -- I'm striking the first three
13 lines of Annex A, except for the word "Normandy," as
14 irrelevant.

15 Now, and, again, I want to be sure I'm
16 leaving with you the right message. I'm not -- I'm
17 saying it's irrelevant for purposes of what we have to
18 do in this case. All right? I'm not trying to be
19 critical or I'm not trying to be flip with what you've
20 done. I'm just simply saying that for purposes of this
21 case it's not relevant.

22 So we start then with -- saying, "Normandy
23 Station WYLR," etc.

24 Your next objection, Mr. Tillotson?

25 MR. TILLOTSON: It might be easier just to

1 object to the whole balance of the Exhibit and work
2 backwards, because I think it might be faster.

3 This -- I think as Mr. Lynch has explained
4 it -- taking -- leaving out for a moment the one
5 reference or two reference that Mr. Lynch served on a
6 board, the basic thrust of this Annex is talking -- the
7 purpose of this supposedly, as Mr. Lynch understands
8 it, is integration. This is not his programming
9 showing. And I don't think you can find anything in
10 here that would support a programming showing, because
11 there's nothing in this document that gives you any
12 specifics about WYLR broadcasting any specific
13 programming during any particular time period.

14 In fact, insofar as there are references
15 to any types of programming being broadcast -- for
16 example, broadcast from the site of -- the balloon
17 festival -- but broadcast local hockey -- professional
18 baseball games over the life of a team in Glen Falls.
19 We don't know if that was in the 1970s, the 1950s or
20 the 1990s. So this is not a programming Exhibit.

21 Insofar as it's an integration Exhibit, as
22 he originally set out to tell us it was, that this was
23 showing Mr. Lynch's involvement in the community, the
24 entire Exhibit is talking about the stations -- WYLR
25 and WWSC -- and Normandy, the corporation, being

1 involved through the radio stations in putting things -
2 - public service announcements, hockey, baseball,
3 balloon festivals -- on the air of a radio station,
4 that's not civic affairs for integration.

5 I have a further objection on this concept
6 -- this taking, for example, "Normandy Station WYLR has
7 been a finalist for the Crystal Award in 1988 and
8 1989."

9 Assuming that was put in here for
10 programming purposes, it's utterly irrelevant and not
11 probative of programming because we have no basis for
12 knowing what a Crystal Award is, how you get a Crystal
13 Award, what -- how it got into the finalist. I'm sure
14 Mr. Lynch, now, would get on the stand and tell us all
15 of that; but if it was going to be part of the evidence
16 for programming, it should have been WYLR was a
17 finalist for a Crystal Award in 1988, based upon -- "
18 and sort of given us the details and the citation --
19 and probably something certified from the NAB that this
20 is how you got to be a Crystal Award finalist.

21 We don't know anything what a Crystal --
22 maybe it was because he sent in the largest
23 contribution or maybe it was a broadcast pioneer. We
24 don't know.

25 MR. LYNCH: It's a reward to broadcasters

1 for --

2 JUDGE SIPPEL: Well, wait just a second.
3 Wait just a second. Now, this is going to end up
4 getting -- supplementing your testimony. This becomes
5 problematic.

6 MR. SCHONMAN: Your Honor, obviously, the
7 problem we're having here is the purpose for which this
8 information is proposed to come into the record.

9 Now, if Annex A in its entirety -- and it
10 runs pages 5 and 6 of this Exhibit -- if Annex A is
11 coming in for integration purposes and integration
12 purposes only, then the Bureau is not going to take a
13 position on that.

14 If it's coming in for programming and
15 renewal expectancy, then the Bureau does have a problem
16 with Annex A.

17 Specifically, the second paragraph,
18 beginning with, "Mr. Lynch has put Normandy at the
19 service -- " beginning at that point and going through
20 the end, on page 6, the Bureau would object to that
21 because there's no reference to any time frame, and for
22 that purpose could very well be outside the renewal
23 period.

24 So, in that respect, I would agree with
25 Mr. Tillotson. If that paragraph, which runs onto the

1 second page there, is coming in for programming
2 purposes, I would move to strike that.

3 I would differ with Mr. Tillotson with
4 respect to the reference in the first paragraph to
5 Crystal Award. I think that could come in at this time
6 subject to examining Mr. Lynch at the hearing. And if
7 we find that it is not relevant, then it could be
8 stricken at that time.

9 JUDGE SIPPEL: Well, I've been down that
10 road before in cases.

11 I don't -- I mean, I don't think that it's
12 fair that an opposing party has to clarify testimony --
13 on cross examination. Cross examination is not to
14 clarify. It's to find out the weaknesses.

15 I'm having -- the most difficulty that I'm
16 having with this is that it was put together by a
17 layman who is obviously trying to do it in a way that's
18 presentable and probably just doesn't know how to do
19 it. This is really a problem for me.

20 And I know what the rules of the games
21 are. You play the rules -- Whether you got a lawyer or
22 not, you get the same -- the strikes and the balls are
23 still called the same way. I'm just having difficulty
24 with it.

25 MR. LYNCH: Your Honor, I have nothing in

1 here as far as the Mass Media Bureau saying as far as
2 programming preference or whatever.

3 This is my integration statement --

4 JUDGE SIPPEL: This is strictly your
5 integration.

6 MR. LYNCH: -- only.

7 I believe I understand integration.

8 Again, the central point, I believe, is that
9 integration doesn't matter a whole hill of beans if
10 you're a broadcast licensee if you don't use that
11 integration to put something back into your community
12 to the broadcast facilities. Other than that,
13 integration is meaningless. I think that's what -- was
14 intended by -- you know -- integration credits.

15 JUDGE SIPPEL: Well, what I'm going to do
16 is -- I mean, I -- this can require quite a bit of
17 work; but -- and I'm not going to do it here today,
18 but, for example, there are statements in here, it
19 says, "Normandy and Mr. Lynch." Well, you drop out
20 "Normandy." "Mr. Lynch worked over the years with the
21 Glen Falls Symphony Orchestra, Lake George Arts
22 Project, cosponsor with the Glen Falls Police
23 Benevolent Association, children's concerts and
24 numerous other cultural events."

25 All right. There are basically -- there

1 are two problems with that. It doesn't say -- it
2 doesn't say in what context you did that work. It
3 doesn't say what you did as opposed to what other
4 people in Normandy -- I know you had other people
5 working at the station -- what they did.

6 So it's really difficult, if not
7 impossible, to carve out what your participation was in
8 those activities. And it doesn't say, "Over the
9 years," "over the years," doesn't really tell me
10 anything.

11 But, having said all of those negative
12 things about it, it still falls within the ball park of
13 being -- of -- your community involvement.

14 What I'm going to do is I'm going to
15 overrule the objection. I'm going to let it stay in
16 for what Mr. Lynch's explanation is of its integration.
17 And I'm going to leave the rest of it to findings.

18 What is in that Annex A is -- I -- you
19 know -- will say this categorically right up front.
20 It's not going to show -- it's not going to give much
21 in terms of credit for civic involvement in an
22 evaluative sense, but it is there. And to the extent
23 that it's there, I'll make a finding.

24 And to go through it line by line, to me,
25 it just doesn't -- it doesn't make any sense. It

1 doesn't make any sense to spend our time that way.

2 And the only reason that I'm letting it go
3 this way is because Mr. Lynch is not being represented
4 by counsel. And I just -- You're not going to win
5 every one on this one, I can assure you, Mr. Lynch,
6 because if you had a lawyer, I wouldn't let it in. But
7 it's a narrow evidentiary rule and I do have broad
8 discretion. I'm going to let it in; but the weight to
9 be ascribed to this is going to be very little.

10 MR. TILLOTSON: your Honor, point of
11 clarification. You're letting this in for integration
12 purposes only?

13 JUDGE SIPPEL: That's right.

14 MR. TILLOTSON: Thank you.

15 JUDGE SIPPEL: Your point -- I'm -- your
16 argument is well founded with respect to why it doesn't
17 belong in the renewal preference area. There is no --
18 But we've been through this before. Mr. Tillotson has
19 pointed out to me exactly -- He's absolutely right.
20 You look at integration credit specific activities over
21 a long -- much longer period of time, even though you
22 lose the relevance of it as you go back further. It
23 becomes less -- You lose the weight of it, really. It
24 becomes less significant the further back in time you
25 go.

1 So I have to make the presumption here
2 that you're talking about times that are pretty far
3 distant.

4 MR. LYNCH: Not at all, Your Honor --

5 JUDGE SIPPEL: Well, I can't ask you that
6 question. I'm saying I have to make that presumption
7 against you. You better -- I would suggest that you
8 quit while you're ahead on this one. All right? Okay.
9 That's my ruling.

10 So I'm leaving in -- with the exception of
11 that first -- the first three lines of Annex A, I'm
12 leaving the rest in. I will consider it as civic
13 activity/integration. There'll be no credit given to
14 this for programming and preference -- for the --
15 preference. And the weight to be accorded is --
16 however, is going to be -- it will not be significant
17 weight accorded to this evidence, for the reasons I've
18 stated and for the arguments well stated by counsel.

19 Annex B.

20 MR. TILLOTSON: Your Honor, I have a
21 problem -- a similar problem with Annex B and then, I
22 guess, behind -- I'm sorry. Annex -- Yes, Annex --
23 everything in Annex B, basically. Make a broad
24 statement. We've got -- again -- sticking to this
25 material now as being civic activities as opposed to

1 programming, which I believe that this whole Exhibit's
2 supposedly about.

3 On the civic activity side, these are
4 broad testimonials that Mr. Lynch has contributed to
5 the community through his radio stations. And, then,
6 as you go through the testimonials, they refer to
7 Normandy. They refer to the station. They refer to
8 WWSC and occasionally WYLR as doing things for the
9 community. They do not refer to Mr. Lynch doing things
10 for the community.

11 I have a particular problem -- a special
12 problem on the affidavit of one Stephen Borgos, which
13 is Attachment 3, and that is there is hand-written --
14 the typewritten document only refers to WWSC; and
15 someone has handwritten in there the call letters
16 "WYLAR" in three places. And, of course, we don't have
17 any way of knowing who or why that -- how that came to
18 be.

19 But -- the broad objection is the one that
20 -- if it's civic, it doesn't go in any way to civic.

21 If it's programming, it goes primarily to
22 Normandy and WWSC. And it's -- they don't have time
23 frames. They don't have specific programs. They are
24 so broad and so general that there really is no
25 evidentiary value on the programming side.

1 JUDGE SIPPEL: Mr. Schonman.

2 MR. SCHONMAN: Your Honor, I think the
3 threshold question is for what purpose these documents
4 are coming in. If they're coming in for integration
5 purposes -- integration-related purposes -- then the
6 Bureau will take no position on that.

7 If they're coming in for programming or
8 general reputation, then the affidavit of Francis X.
9 O'Keefe I believe would be acceptable for general
10 reputation evidence.

11 The Bureau has a problem with Attachment
12 1, the Affidavit of Bartholomew, Jr. We don't know
13 what station this is referring to.

14 But for general reputation it could
15 probably come in.

16 And then the affidavit of Stephen Borgos,
17 I would concur with Mr. Tillotson. It's very curious
18 about the additions of the FM station to this type
19 statement, which refers exclusively to the AM station.

20 JUDGE SIPPEL: Mr. Lynch, go ahead.

21 MR. LYNCH: I clear up -- that's me
22 putting in "WYLR." That just slipped by when I was
23 reviewing these affidavits.

24 What this means here is that at WWSC,
25 while the news is also on WYLR, the first one --

1 Adirondack Balloon Festival -- WYLR has broadcast 19 of
2 them in a row, and WWSC has, just -- Mr. Borgos just
3 put in WWSC 'cause that's the station he was most
4 familiar with.

5 I would cross out the "YLR"s. Again, it's
6 not anything to confuse the issue. The same thing with
7 the -- Adirondack Regional Arts Council Festival in the
8 Park. WWSC and WYLR --

9 JUDGE SIPPEL: Well, who wrote in "WYLR"?

10 MR. LYNCH: I did all three times. I was
11 just making notes.

12 JUDGE SIPPEL: This was after Mr. Borgos
13 signed it.

14 MR. LYNCH: Yes, Your Honor.

15 JUDGE SIPPEL: He doesn't even know that
16 you did that.

17 MR. LYNCH: No. I just -- that was my
18 error. I crossed them out. They weren't meant to
19 alter the --

20 JUDGE SIPPEL: Well --

21 MR. LYNCH: -- affidavit.

22 JUDGE SIPPEL: -- if they do go out, then
23 the only thing that's -- information relates to on the
24 face of the document is WWSC. I mean, there's no tie-
25 in here to anything except WWSC.

1 MR. LYNCH: And Christopher Lynch, Your
2 Honor.

3 JUDGE SIPPEL: And Christopher Lynch. But
4 in your capacity, it's, again, the last sentence of the
5 paragraph 3, "In each and every one of these
6 capacities, I observed the outstanding cooperation of
7 Radio Station WWSC and it's owner, Christopher Lynch,
8 in terms of community service."

9 And I know what you're doing. I know what
10 you're saying and I know what you're thinking when I'm
11 making these distinctions.

12 But the problem is that I'm going to make
13 a record and I can't make a record on one station -- on
14 the AM station -- by looking at things that pertain to
15 WWSC.

16 MR. LYNCH: I think there are three or
17 four places in this where, in terms of professional
18 reputation and community generosity, WWSC and
19 Christopher Lynch was both the --

20 JUDGE SIPPEL: I'm sorry. I'm not going
21 to spend any more time with this.

22 First of all, it's been -- it's -- I'd
23 have to start making modifications of taking out what's
24 been written in. And I'd have to make these
25 intellectual leaps, when the document clearly is